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Hearing Date: September 25, 2019 10:00 AM

Objection Date: September 18, 2019

Attorneys for Defendants Carol Nelson and Stanley Nelson

**UNITED STATES BANKRUPTCY COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-1789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC

Plaintiff,

v.

CAROL NELSON, individually and as joint tenant,
and STANLEY NELSON, individually and as joint
tenant,

Defendants.

Adv. Pro No. 10-04377 (SMB)

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC

Plaintiff,

v.

CAROL NELSON,

Defendant.

Adv. Pro No. 10-04658 (SMB)

NOTICE OF MOTION

PLEASE TAKE NOTICE that Defendants Carol Nelson and Stanley Nelson (the “Nelsons”) in the two above-captioned cases, by their undersigned counsel, will move the United States Bankruptcy Court for the Southern District of New York at the Alexander Hamilton Customs House, One Bowling Green, New York, NY 10004, on September 25, 2019 at 10:00 AM for an order dismissing the Complaints in the above-captioned cases for lack of subject-matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(h)(3), made applicable to these bankruptcy proceedings pursuant to Federal Rule of Bankruptcy Procedure 7012.

WHEREFORE, the Nelsons respectfully request that the Court enter an Order granting the relief requested, and such other and further relief as the Court deems just and proper.

Dated: New York, New York
August 8, 2019

CHAITMAN LLP

By: /s/ Helen Davis Chaitman
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